

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

IOENGINE, LLC,)	
)	
Plaintiff/Counterclaim Defendant,)	
)	
v.)	C.A. No. 6:21-cv-1296-ADA-DTG
)	
ROKU, INC.,)	
)	
Defendant/Counterclaim Plaintiff.)	Jury Trial Demanded
)	

**ORDER REGARDING ASSERTED CLAIMS AND
PRIOR ART REFERENCES AND COMBINATIONS**

On August 10, 2023, the Parties jointly informed the Court of a dispute regarding the narrowing of asserted claims and prior art references to triable limits.¹ On August 17, 2023, the Court held a Discovery Hearing and issued oral rulings on the dispute.

The Court **GRANTS-IN-PART** IOENGINE, LLC’s (“IOENGINE”) proposed narrowing, for Roku, Inc. (“Roku”) to provide, by no later than Wednesday, August 23, 2023, a narrowed disclosure of no more than ten (10) prior art references in total and an identification of no more than two (2) prior art combinations per Asserted Claim that Roku may rely on at trial for its invalidity case.² Whether Roku may amend or alter its identification of the two prior art

¹ See Dkt. 182.

² Pursuant to the Court’s August 17 oral Order, on August 18, 2023, IOENGINE disclosed the twelve claims that it may rely on at trial for its infringement case (IOENGINE’s “Asserted Claims”).

combinations per Asserted Claim, should such issue arise, will be addressed by the Court after ruling on all currently pending motions addressing prior art references.³

IT IS SO ORDERED.

Dated: August 22, 2023


DEREK T. GILLILAND
UNITED STATES MAGISTRATE JUDGE

³ Dkt. Nos. 164, 193, 194, 195, 197